

FILED**DEC 30 2020**

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of Oklahoma

**Mark C. McCart, Clerk
U.S. DISTRICT COURT**United States of America
v.

Case No.

20-mj-515-PJC

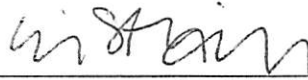
NATHAN BLAINE*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 24, 2019 in the county of Tulsa in the
Northern District of Oklahoma, the defendant(s) violated:*Code Section*18 U.S.C. §§ 2251(a) and (e)
18 U.S.C. §§ 2251(b) and (e)
18 U.S.C. §§ 2252(a)(4)(B) and (b)
(2)*Offense Description*Sexual exploitation of a minor/use of a child to produce a visual depiction
Sexual exploitation of children or the attempted sexual exploitation of children
Possession of and access with intent to view a visual depiction of a minor
engaged in sexually explicit conduct

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.*Complainant's signature*

SA Erin Staniech, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date:

12/30/20

City and state:

Tulsa, OK


Judge's signature

Paul J. Cleary, United States Magistrate Judge

Printed name and title

AFFIDAVIT

1. I have been employed as a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations (HSI) in Tulsa, Oklahoma, since June 2019. I am a graduate of the Criminal Investigator Training Program and the Homeland Security Investigations Special Agent Training Academy. As a result of my employment with HSI, my duties include, but are not limited to, the investigation and enforcement of Titles 8, 18, 19, 21, and 31 of the United States Code (U.S.C.). I am an “investigative or law enforcement officer of the United States” within the meaning defined in 18 U.S.C. § 2510(7), in that I am an agent of the United States authorized by law to conduct investigations of, and make arrests for, federal offenses.
2. As part of my duties as an HSI agent, I investigate criminal violations relating to child pornography and exploitation, including the production, transportation, distribution, receipt, and possession of child pornography, in violation of 18 U.S.C. §§ 2251, 2252, and 2252A. I have received training in the areas of child pornography, and child exploitation and have observed and reviewed numerous examples of child pornography, as defined in 18 U.S.C. § 2256, in all forms of media. I have been involved in several child pornography investigations and am familiar with the tactics used by individuals who collect and distribute child pornographic material.

3. It is my belief that Nathan BLAINE has violated 18 U.S.C. §§ 2251(a) & (e) (sexual exploitation of a minor/use of a child to produce a visual depiction); 18 U.S.C. §§ 2251(b) and (e) (sexual exploitation of children or the attempted sexual exploitation of children), and 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2) (possession of and access with intent to view a visual depiction of a minor engaged in sexually explicit conduct).

The source of my information and grounds for my beliefs are as follows:

4. On October 24, 2019, CB reported to Grove Police Department (GPD) that her 15-year-old minor daughter (herein after referred to as MV) disclosed to her that her husband and daughter's stepfather, Nathan BLAINE, had been taking nude photographs of her. MV disclosed to her mother that BLAINE had been taking nude photographs of her in their home in Grove, Oklahoma, located in the Northern District of Oklahoma.
5. During a forensic interview on October 24, 2019, MV disclosed to GPD officers that BLAINE had been taking nude photographs of her since approximately 2017, when they lived at a separate address in Grove, Oklahoma, also located in the Northern District of Oklahoma.
6. MV stated BLAINE always used a cell phone to take the photographs. MV identified one of the cellphones as having a white back and another cell phone BLAINE had used as "an HTC."
7. Later, on October 24, 2019, GPD served BLAINE with a Victim's

Protective Order and seized his phone with the white back at that time based on the description they had received from MV. GPD then asked that he come to GPD, to which BLAINE agreed. GPD recorded the interview via audio and video, which I have reviewed.

8. GPD Detective James Highley read BLAINE his Miranda rights from GPD's Statement of Rights Form. BLAINE signed a rights waiver and agreed to speak to GPD officers.
9. GPD officers allowed BLAINE an opportunity to read through the protective order served to him on October 24, 2019. After reading the protective order, BLAINE stated he knew why he was currently with officers.
10. BLAINE made the following statements during an interview with GPD:
 - a. BLAINE has been raising the MV and her siblings since 2009, when MV was approximately 5 years old.
 - b. The photographs BLAINE had taken were not a "sex thing" or an "abuse thing," and BLAINE had never touched MV.
 - c. MV was self-conscious and BLAINE would tell her that she was beautiful. BLAINE would take a photograph, show it to MV and tell her she was normal.
 - d. The photographs were never "perverted" or "of a sexual nature."
 - e. The photographs helped MV "come out of her shell."
 - f. BLAINE knew that MV was naked in the photographs.

- g. BLAINE had taken photographs of MV approximately 16 times.
 - h. BLAINE deleted the photos as soon as he and MV discussed them.
 - i. BLAINE started taking pictures of MV approximately 2 years ago and BLAINE told MV that it was starting to get weird to take photos of her.
 - j. BLAINE did not tell his wife, MV's mother, about the photos because BLAINE and MV had a "special relationship." BLAINE further clarified that MV would only talk to him about certain things.
 - k. MV came to BLAINE explaining she had some bumps or a rash from shaving. Blaine took photos of MV to show her the bumps.
 - l. Mr. Blaine covered MV's face with a quilt when photographing because it was "getting weird."
 - m. BLAINE does not have an iCloud account, but he does have a gallery and has a Google Photos Application. There are photos stored in Google Photos from when he first moved in with the kids. Pictures of MV were never saved, unless they were saved in the Google Photos application.
 - n. BLAINE has another stepdaughter, but he did not take photos "the same way as MV."
11. BLAINE provided the passcode to his phone and signed a consent form to search the cellphone seized from BLAINE by GPD officers.

12. BLAINE provided GPD officers with a written statement accounting what happened between he and the MV.

13. In October 2020, HSI Tulsa received the cellphone seized from BLAINE by GPD officers, a Samsung Galaxy Note 5, serial number RF8H31D6PBF. Although BLAINE provided consent to GPD officers to search this cell phone, I obtained a search warrant out of an abundance of caution on November 20, 2020.

14. On November 30, 2020, I reviewed the data retrieved from the Samsung Galaxy Note 5. Several images of the MV were identified. Two of the images are described below:

- a. **File Name:** -1848933046845833439.0
- b. **Path:** Samsung GSM_SM-N920A Galaxy Note 5.zip/Phone/Android/data/com.sec.android.gallery3d/cache/micro/-1848933046845833439.0
- c. **MD5 Hash Value:** 8f95cce1422e2bd9aeb975d3775431df
- d. **Description:** MV with a pink shirt on. The MV is lifting her shirt exposing her breasts. The female is nude from the waist down, exposing her vagina. The focus of the image is on her breasts and vagina.

- e. **File Name:** -4975071319020932567.0
- f. **Path:** Samsung GSM_SM-N920A Galaxy Note 5.zip/Phone/Android/data/com.sec.android.gallery3d/cache/large/-4975071319020932567.0
- g. **MD5 Hash Value:** 23d1ff94e1ea7a3afc83271a63851ee
- h. **Description:** MV standing in a garage with a red and white long sleeved shirt on. Her shirt is lifted exposing her stomach. The MV's shorts are pulled down around her knees, exposing her vagina. The photo includes half of the MV's face. The focus of the image is on the vagina.

15. Additionally, the data review revealed multiple photos that did not include a face. On December 17, 2020, the MV was forensically interviewed a second time. During the interview, the MV identified herself in multiple photos in which her face was not visible. Four of the images are described below:

- a. **File Name:** -1976353751583507441.0
- b. **Path:** Samsung GSM_SM-N920A Galaxy Note
5.zip/Phone/Android/data/com.sec.android.gallery3d/cache/large/-
1976353751583507441.0
- c. **MD5 Hash Value:** 470b9aa200c7a796f8016df91389f337
- d. **Description:** MV who is naked from the waist down. The MV appears to be taking a photo of her own vagina. The MV's face is not visible. The focus of the image is of the vagina.

During the forensic interview, the MV explained that BLAINE would occasionally instruct her to take photos of herself using his cellphone. MV also explained that, while she was taking the photo, BLAINE would be standing in the doorway and would not allow her to leave until she took the photograph as instructed.

- e. **File Name:** -3716950933980654153.0
- f. **Path:** Samsung GSM_SM-N920A Galaxy Note
5.zip/Phone/Android/data/com.sec.android.gallery3d/cache/large/-
3716950933980654153.0
- g. **MD5 Hash Value:** 64d7cd3138b42299a107cd3dcebed6dc
- h. **Description:** MV naked from the waist down. The MV's face is not visible. The female appears to be leaning on her stomach over a vehicle with her legs spread. The MV's buttocks and vagina are the focus of the image.

During the forensic interview, the MV confirmed it was a photograph of herself. The MV stated she was leaning on a Jeep, which belonged to BLAINE. MV stated sometimes taking photos was a condition of BLAINE taking her to drive.

- i. **File Name:** 5009298636242891976.0
- j. **Path:** Samsung GSM_SM-N920A Galaxy Note
5.zip/Phone/Android/data/com.sec.android.gallery3d/cache/large/50
09298636242891976.0

- k. **MD5 Hash Value:** 77a5bc0da8f239e6656bc4e2bc8f3a19
- l. **Description:** MV laying on a bed on her back with blue and white underwear pulled down around her thighs. Part of her face, corner of her mouth and cheek, are visible in the photo. Her legs are in the air and her vagina is exposed. Her hand is above the underwear wrapped around her thigh. The focus of the image is on the vagina.

The MV stated the photo is of herself and that BLAINE took the photo. The MV also stated the room is either her room or her mother's room; both the MV and her mother have the same comforter and BLAINE has taken photos of the MV in both rooms.

- m. **File Name:** -1976353751583507441.0
- n. **Path:** Samsung GSM_SM-N920A Galaxy Note
5.zip/Phone/Android/data/com.sec.android.gallery3d/cache/large/-
1976353751583507441.0
- o. **MD5 Hash Value:** 470b9aa200c7a796f8016df91389f337
- p. **Description:** MV naked from the waist down. The MV appears to be taking a photo of her own vagina. The focus of the image is on the vagina.

The MV stated the photo is of herself but that she is unsure if BLAINE instructed her to take the photo in this way or if BLAINE took the photo himself. The MV again reiterated that BLAINE would sometimes instruct her to take the photo of herself with his phone. The MV also stated that the photo was taken in the bathroom.

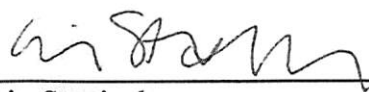
16. In addition to the photos of the MV and the photos in which the MV identified herself, I found one image containing four photos. The image is described below:

- a. **File Name:** dqw.jpg
- b. **Path:** Samsung GSM_SM-N920A Galax Note
5.zip/Phone/Download/Unconfirmed43070.crdownload/res/drawable/
dqw.jpg
- c. **MD5 Hash Value:** f21779b00485e3cf6438359d8a2444f3
- d. **Description:** Photo contains 4 individual pictures with a circle in the middle of the four photos containing the words "56+ videos".
 - i. The top right photo contains a prepubescent female with a white tank top on. The tank top is lifted exposing her stomach. The female is naked from the waist down. The female is sitting on her feet with her knees spread, exposing her vagina. The female has an adult penis in her mouth. The adult male is

- kneeling next to the female with one hand on his knee.
- ii. The bottom right photo contains a female who appears to be approximately 9-11 years old. The female is looking up towards the camera and is licking an adult male penis.
 - iii. The top left photo contains a female on her hands and knees with an adult male penis in her mouth. There is a dog mounted on the female from behind.
 - iv. The bottom left photo contains only the face of a female.

This image is consistent with child pornography as defined in 18 USC 2256.

17. Based on the foregoing, it is my belief that BLAINE has violated 18 U.S.C. §§ 2251(a) & (e) (sexual exploitation of a minor/use of a child to produce a visual depiction); 18 U.S.C. §§ 2251(b) and (e) (sexual exploitation of children or the attempted sexual exploitation of children), and 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2) (possession of and access with intent to view a visual depiction of a minor engaged in sexually explicit conduct).


Erin Staniech
Special Agent
U.S. Department of Homeland Security
U.S. Immigration & Customs Enforcement

by phone
Subscribed and sworn to before me on this 30th day of December, 2020.


UNITED STATES MAGISTRATE JUDGE

Paul J. Cleary
U.S. Magistrate Judge
333 W. 4th Street
Room 3355 U.S. Courthouse
Tulsa, OK 74103